

Question & Answer
SB 14 Amendment: Disparate Impact Report - No Effective Date

Question	Answer
What does this amendment do?	This amendment requires the Secretary of State to produce an annual report determining whether the changes in law instituted via SB 14 produce a disparate impact on any population subgroups in our state.
Why is this needed?	Many members have concerns that the increased ID requirements of SB 14 will lead to a disparate impact on particular segments of Texans. By requiring the Secretary of State to make a determination regarding whether there will be a disparate impact, it helps to alleviate those concerns.
What does the bill currently say?	SB 14 does not contain any reporting requirements.
What population subgroups must the report address?	Women, military, elderly, persons with disabilities, students, and racial/ethnic minorities.
What must the report address?	<p>The report must at least address the following:</p> <ul style="list-style-type: none"> • the number of voting eligible residents that have and do not have a form of ID required under SB 14; • the number of voting eligible residents with a required form of ID that fails to comply with SB 14 only because the address on the ID is not current, the last name on the ID does not match current records (maiden name), or the ID is expired; • the average wait time, by voting precinct, at the nearest DPS licensing facility that provides drivers licenses or personal IDs; • the number of eligible voters that were prevented from voting due to the enhanced ID/documentation requirements made via SB 14; • the number of eligible voters who were required to file provisional ballots due to SB 14

	<p>— and the number whose provisional ballot was eventually not accepted; and</p> <ul style="list-style-type: none"> • an analysis, by subgroup, of whether the changes made in SB 14 would produce a disparate impact on women, the elderly, persons with disabilities, students, or racial/ethnic minorities.
Can't voter turnout figures be used to determine whether there was a disparate impact?	<p>As any political hack knows, turnout can vary radically between election cycles based on enthusiasm, candidates, and other factors. Every election is different from the previous one, so trying to determine a disparate impact based solely on turnout numbers is not an appropriate metric. After all, Republicans in 2009 pointed to the huge increase in minority voters (particularly African Americans) in the 2008 general election as evidence that voter ID requirements do not impact minorities' ability to vote. What they fail to point out, of course, is that the first African American president was elected that year.</p>
Have other states required a disparate impact report?	<p>Staff's research suggests no, but we are not able to confirm with absolute certainty.</p>
How will the Secretary of State collect the required data?	<p>The text of the amendment provides the Secretary of State the ability to promulgate rules, if necessary, for data collection efforts required to produce the report.</p>
What is the fiscal impact?	<p>Any costs of compiling data and producing an annual report would be relatively minimal.</p>
How could <u>women</u> be impacted by the requirements of SB 14?	<p><u>Women are less likely to have a photo ID.</u> According to the US Census, women are more than twice as likely as men not to have a drivers' license, one in every five senior women does not have a license, and, of all Americans without a license, over 70 percent are women. <u>Maiden names.</u> Women may get married and change their name, yet fail to update their driver's licenses.</p>

How could seniors be impacted by the requirements of SB 14?	<p>In 2006, the Brennan Center for Justice found that 18% of citizens 65 and over have no photo ID. For many seniors, getting a state-issued photo ID is not only costly and time-consuming, it is also impractical.</p> <p>The Brennan Center also found that, in Wisconsin, 23% of persons aged 65 and older did not have a Wisconsin driver's license or photo TD, and 70% of those were women.</p> <p>Despite SB 14 containing an exemption for voters 70 over, the age range is tied to a static date - i.e., the exemption only applies to a voter who "was 70 years of age or older on January 1, 2012 ..." Thus, that will be a diminishing number of voters over time. Eventually, all voters, regardless of age, will be forced to show ID.</p>
How could persons with disabilities be impacted by the requirements of SB 14?	<p>Persons with disabilities are less likely to drive and therefore have a driver's license. According to disability advocates, nearly 10% of the 40 million Americans with disabilities do not have a state-issued photo ID.</p> <p>Further, it is a time-consuming process to obtain a photo ID, even more so for someone with a physical disability.</p>
How could students be impacted by the requirements of SB 14?	<p>Many students are unlikely to have a driver's license or photo ID acceptable under SB 14 that reflects their campus address - the same location that many students register to vote. In Wisconsin, a study found that 97 percent of students did not have their current address on their photo ID.</p> <p>That is relevant because SB 14 does not place a proscription on whether poll workers could potentially deny an otherwise-eligible voter the right to vote solely on the addresses not matching up. (Van de Putte has an amendment to address this)</p>

How could minorities be impacted by the requirements of SB 14?	A 2006 study by the nonpartisan Brennan Center at NYU Law School found that 25% of African Americans have no government-issued photo ID. A University of Wisconsin study found that, in Wisconsin, the numbers of nonwhites without photo ID differed dramatically from the numbers of Anglos: <ul style="list-style-type: none">• 52% of nonwhite residents 18+ (compared to 17% of white residents)• 78% of black men 18-24 (compared to 36% of white men 18-24)• 63% of Hispanic women 18-24 (compared to 25% of white women 18-24)
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